

IN THE SUPREME COURT OF TEXAS

93-
Misc. Docket No. 0065

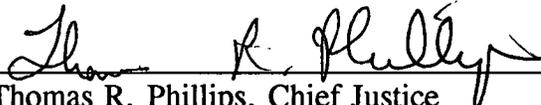
**ADOPTION OF RULES FOR DALLAS COUNTY
FOR RECEIVING AND FILING
ELECTRONICALLY TRANSMITTED COURT DOCUMENTS**

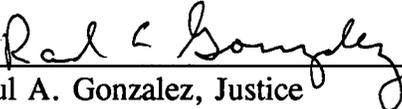
ORDERED:

At the request of the District Courts of Dallas County, the attached rules are adopted governing the procedure for the District Clerk of Dallas County to receive and file electronically transmitted court documents. TEX. GOV'T CODE §§ 51.803, 51.807.

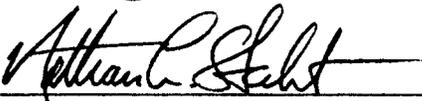
This Order shall be effective when recorded in the Minutes of the District Courts of Dallas County, and upon compliance with Texas Rule of Civil Procedure 3a.

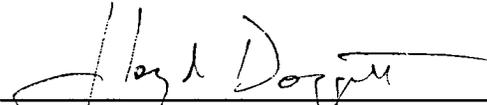
SIGNED AND ENTERED this ~~24th~~ day of ~~February~~^{MARCH}, 1993.

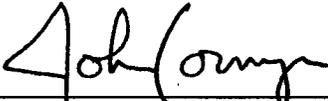

Thomas R. Phillips, Chief Justice


Raul A. Gonzalez, Justice

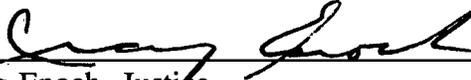

Jack Hightower, Justice


Nathan L. Hecht, Justice


Lloyd Doggett, Justice


John Cornyn, Justice


Bob Gammage, Justice


Craig Enoch, Justice


Rose Spector, Justice

**RULES GOVERNING THE PROCEDURE FOR THE
DISTRICT CLERK OF DALLAS COUNTY
TO RECEIVE AND FILE
ELECTRONICALLY TRANSMITTED COURT DOCUMENTS**

The following rules govern the procedure for the District Clerk of Dallas County ("the clerk") to receive and file electronically transmitted court documents.

1. The clerk is authorized to accept for filing via electronic transmission any document which might be filed in a court action except: (a) returns of service on issuances; (b) bonds; (c) signed orders or judgments.

2. Documents electronically transmitted for filing will be received by the clerk on a plain paper facsimile and printed by a laser printer, thereby rendering the copy of archival quality. No document printed on thermal paper shall be filed.

3. No document electronically transmitted shall be accepted by the clerk for filing until court costs and fees have been paid. Court costs and fees may be paid through credit card, escrow, or bank draft. Documents tendered to the clerk electronically without payment of court costs and fees, or with incomplete information on the charge authorization or request, or which do not conform to applicable rules, will not be filed.

4. A fee schedule for electronic filing and outgoing transmissions shall be adopted annually by the clerk and approved by the local courts.

5. An electronically transmitted document accepted for filing will be recognized as the original record for file or for evidentiary purposes when it bears the clerk's official date and time file stamp.

6. Every document electronically transmitted for filing in the civil and family courts shall conform to the requirements for filing established by the Texas Rules of Civil Procedure and shall be on paper measuring approximately 8-1/2 x 11 inches. Every document electronically transmitted for filing in the criminal courts shall conform to the requirements for filing established by applicable rules of procedure and shall be on paper measuring approximately 8-1/2 x 14 inches. All documents shall be signed individually by the party or the party's attorney of record, and shall contain that individual's State Bar of Texas identification number, if any, address, telephone number and telecopier number. The quality of the original hard copy shall be clear and dark enough to transmit legibly.

7. The sender shall maintain the original of the document with original signature affixed as required by section 51.806, Texas Government Code.

8. A cover sheet must accompany every transmission which shall: (a) clearly identify the sender, the documents being transmitted, and the number of pages; (b) have clear and concise instructions concerning issuance or other request; and (c) have complete information on the escrow account debit for court costs and fees.

9. The clerk upon receipt of an electronically transmitted document shall verify the completeness of the transmission.

10. The clerk when satisfied that the transmission is complete shall confirm the payment authorization and note the authorization code on the cost receipt. Thereafter, the documents tendered electronically shall be deemed accepted for filing and the clerk shall affix the clerk's official date and time file stamp to the document.

11. If the transmission is found to be incomplete or court costs or fees, if required, are not paid, the clerk will notify the sender as soon as practicable that the transmission has not been filed and the reason.

12. After filing an electronically transmitted document the clerk will electronically transmit to the sender an acknowledgment of the filing, together with cost receipt, if any.

13. No citation or writ bearing the official seal of the court may be transmitted electronically.

14. Electronic transmission of a document does not constitute filing. Filing is complete when the clerk's official date and time file stamp is affixed to the document.

15. Each page of any document received by the clerk will be automatically imprinted with the date and time of receipt. The date and time imprinted on the last page of a document will determine the time of receipt, and if the transmission is in complete conformity with these rules the official date and time stamp shall conform to the date and time of receipt imprinted on the last page of the document by the clerk's fax machine.



THE SUPREME COURT OF TEXAS

CHIEF JUSTICE
THOMAS R. PHILLIPS

POST OFFICE BOX 12248 AUSTIN, TEXAS 78711
TEL: (512) 463-1312
FAX: (512) 463-1365

CLERK
JOHN T. ADAMS

JUSTICES
RAUL A. GONZALEZ
JACK HIGHTOWER
NATHAN L. HECHT
LLOYD DOGGETT
JOHN CORNYN
BOB GAMMAGE
CRAIG ENOCH
ROSE SPECTOR

EXECUTIVE ASST
WILLIAM L. WILLIS

ADMINISTRATIVE ASST
MARY ANN DEFIBAUGH

March 25, 1993

Mr. Bill Long
District Clerk
George L. Allen, Sr. Bldg.
600 Commerce Street
Dallas, Texas 75202-4606

Dear Mr. Long,

Please find enclosed, a copy of the order of the Supreme Court that approved local rules for receiving and filing electronically transmitted court documents.

Sincerely,

SIGNED

John T. Adams
Clerk

Encl.

cc: Hon. Pat McDowell
1st Admin Judicial Rgn

Hon. Merrill Hartman
192nd District Court

Dallas County Clerk

Supreme Court Adv Committee

Mr. Raymond Judice
Office of Court Admin

State Law Library



DALLAS COUNTY

BILL LONG
DISTRICT CLERK

January 14, 1993

Chief Justice Thomas Phillips,
Supreme Court of Texas
P.O. Box 12248
Austin, Texas 78711

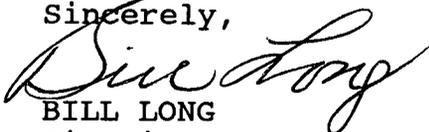
Re: FAX Electronic Filing Plan

Dear Chief Justice:

Enclosed please find an original and one copy of the Court Ordered FAX Electronic Filing Plan for the District Clerk's Office, Dallas County, Texas.

We respectfully request approval on the attached so we may implement the plan as soon as possible.

Sincerely,


BILL LONG
District Clerk

BL:ss
enclosure

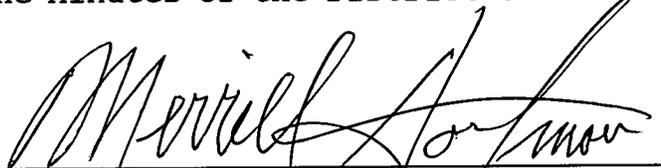
FAX FILING PLAN FOR DALLAS COUNTY DISTRICT CLERK

The District Courts of Dallas County, Texas, hereby adopt the following system for the electronic filing of documents by the District Clerk of Dallas County.

1. The District Clerk is authorized to accept for filing via electronic transmission any document which might be filed in a court action except: (a) returns of service on issuances; (b) bonds; (c) signed orders or judgment.
2. Documents electronically transmitted for filing will be received by the District Clerk on a plain paper facsimile and printed by a laser printer, thereby rendering the copy of archival quality. No document printed on thermal paper shall be filed.
3. No document electronically transmitted shall be accepted by the District Clerk for filing until court costs and fees have been paid. Court costs and fees may be paid through credit card, escrow and/or bank draft. Documents tendered to the District Clerk electronically without payment of court costs and fees, or with incomplete information on the charge authorization or request, or which do not conform to applicable rules, will not be filed.
4. A fee schedule for electronic filing and outgoing transmissions shall be adopted annually by the clerk and approved by the local courts.
5. An electronically transmitted document accepted for filing will be recognized as the original record for file or for evidentiary purposes when it bears the District Clerk's official date and time file stamp.
6. Every document electronically transmitted for filing to the Civil or Family departments shall conform to the requirements for filing established by the Texas Rules of Civil Procedure, i.e., shall be on paper measuring approximately 8 1/2 x 11 inches. Criminal electronically transmitted documents shall be 8 1/2 x 14 inches. All documents shall be signed individually by the party or the party's attorney of record, and shall contain that individual's State Bar of Texas identification number, if any, address, telephone number and telecopier number. The quality of the original hard copy shall be clear and dark enough to transmit legibly.
7. The sender shall maintain the original of the document with original signature affixed as required by Section 51.806, Texas Government Code.

8. A cover sheet must accompany every transmission which shall: (a) clearly identify the sender, the documents being transmitted, and the number of pages; (b) have clear and concise instructions concerning issuance or the other request; and (c) have complete information on the payment method for court costs and fees.
9. The District Clerk upon receipt of an electronically transmitted document shall verify the completeness of the transmission.
10. The District Clerk when satisfied that the transmission is complete shall confirm the payment authorization and note the authorization code on the cost receipt. Thereafter, the documents tendered electronically shall be deemed accepted for filing and the District Clerk shall affix the Clerk's official date and time file stamp to the document.
11. If the transmission is found to be incomplete or court costs or fees, if required, are not paid, the clerk will notify the sender as soon as practicable that the transmission has not been filed and the reason.
12. After filing an electronically transmitted document the clerk will electronically transmit to the sender an acknowledgment of the filing, together with cost receipts, if any.
13. No citation or writ bearing the official seal of the court may be transmitted electronically.
14. Electronic transmission of a document does not constitute filing. Filing is complete when the District Clerk's official date and time stamp is affixed to the document.
15. Each page of any document received by the District Clerk will be automatically imprinted by the clerk's fax machine, with the date and time of receipt. The date and time imprinted by the clerk's fax machine on the last page of a document will determine the time of filing. The clerk shall affix the clerk's official date and time stamp to the document. The official date and time stamp shall conform to the date and time imprinted on the last page of the document by the clerk's fax machine.

It is therefore ORDERED that this system for electronic filing of documents of the District Courts of Dallas County, Texas be, and the same is adopted, effective upon approval by the Supreme Court of Texas for approval as provided by Section 51.807, Texas Government Code; and that upon approval by the Supreme Court of Texas the same be placed upon the Minutes of the District Courts of Dallas County, Texas.

A handwritten signature in cursive script, appearing to read "Merrill Hartman", written over a horizontal line.

Honorable Merrill Hartman
Local Administrative Judge of
District Courts, Dallas County, Texas

Judge of the 192nd District Court,
Dallas County, Texas